

REMARKS

Claims 1-12, 14, and 17-19 are pending. Independent claims 1, 14, and 19 have been amended. No new matter has been introduced. Reexamination and reconsideration of the present application are respectfully requested.

In the July 5, 2002 Final Office Action, the Examiner rejected claims 1-12, 14, and 17-19. The Examiner rejected claims 1-7, 10-12, 14, and 18 under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,018,571 to Langlois et al. (the Langlois reference), in view of Microsoft software programming. The Examiner rejected claim 17 under 35 U.S.C. § 103(a) as being obvious over the Langlois reference, in view of well-known prior art. The Examiner rejected claim 19 under 35 U.S.C. § 103(a) as being obvious over the Langlois reference, in view of Microsoft software programming, further in view of U.S. Patent No. 5,884,032 to Bateman et al. (the Bateman reference). These rejections are respectfully traversed.

The present invention relates to computer systems coupled to telephony devices. An operating system of the computer runs a dialer program and at least one application program lacking telephony capabilities that differs from the dialer program. The dialer program has an associated phone book file that is not associated with the application program. The dialer program determines activity status of the application program and provides telephony capabilities to the application program.

Independent claim 19, as amended, recites:

executing, on an operating system platform, a dialer program and at least one application program that differs from the dialer program,

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wherein the at least one application program does not comprise a telephone application program or an operating system navigation utility, and

wherein the dialer program has an associated phone book file, the phone book file not being associated with the at least one application program;

by the dialer program, determining activity status of the at least one application program;

by the dialer program, *retrofitting a dialer representation on a title bar of a window of the at least one application program lacking telephony capabilities only when the at least one application program is active to provide the telephony capabilities to the at least one application program;*

by the dialer program, accessing the phone book file to search for a phone number to be dialed by the dialer program, the accessing being triggered when a user selects, via an input device, the retrofitted dialer representation; and

by the dialer program, searching the phone book file for the phone number based on a search key, the search key comprising text that is displayed in a window of the at least one application program and highlighted by the user via the input device before the user selects the retrofitted dialer representation.

The Langlois reference is directed to an interactive system that includes a software application and a telephone, which functions cooperatively to implement a multiplicity of user-invoked features. The telephone set is connected to a computer on which a telephony program interface application is executed. The telephone set includes a plurality of user-definable function keys, in addition to the standard keypad, handset, speaker phone, and other standard components. The user-definable function

keys are programmable via the computer to implement telephony features or to launch applications on the computer.

The Langlois reference does not disclose, teach, or suggest the apparatus of independent claim 19, as amended. Unlike independent claim 19, as amended, the Langlois reference does not teach *retrofitting a dialer representation on a title bar of a window of the at least one application program lacking telephony capabilities only when the at least one application program is active to provide the telephony capabilities to the at least one application program*. The Langlois reference discloses a telephony program interface application already having telephony capabilities for utilizing a telephony device (e.g., a USB phone) (see col. 6, line 35 *et. seq.*; and Figs. 3-8D). For example, the telephony program interface application includes features such as call screening to screen/identify calls, and call recording to record a telephone conversation with the computer (col. 8, lines 8-28). There is no teaching in the Langlois reference of *retrofitting a dialer representation on a title bar of a window of the at least one application program lacking telephony capabilities to provide the telephony capabilities to the at least one application program*, as recited in independent claim 19, as amended.

The Bateman reference does not make up for the deficiencies of the Langlois reference. The Bateman reference is directed to a Customer Contact Channel Changer that enables the integration of different Customer Contact Channels, such as a live call center, ACD (Automatic Call Distribution) agents, ADSI (Analog Display Services Interface) enhanced IVR (Interactive Voice Response) systems, and WWW (World Wide Web) servers. The World Wide Web servers are used to allow customers with

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computer equipment to access information from an organization's databases in a self-service mode. Frequently these customers have questions best answered by human ACD agents. The connection between the customer with the question and the agent with the answer is performed quickly and efficiently with both parties sharing screens of common information.

The Bateman reference does not disclose, teach, or suggest the apparatus of independent claim 19, as amended. Unlike independent claim 19, as amended, the Bateman reference does not make mention at all of *retrofitting a dialer representation on a title bar of a window of the at least one application program lacking telephony capabilities only when the at least one application program is active to provide the telephony capabilities to the at least one application program*. The Bateman reference only teaches a system for coordinating communications via a Customer Contact Channel Changer system that supports a graphical World Wide Web browser and generation of a URL link for the product and service database (col. 5, lines 1-67). There is no teaching in the Bateman reference of *retrofitting a dialer representation on a title bar of a window of the at least one application program lacking telephony capabilities to provide the telephony capabilities to the at least one application program*, as recited in independent claim 19, as amended. Accordingly, applicants respectfully submit that independent claim 19, as amended, distinguishes over the prior art of record.

Independent claims 1 and 14, both as amended, recite limitations similar to independent claim 19, as amended. Claims 2-12 all depend, directly or indirectly, from independent claim 1, as amended. Claims 17 and 18 both directly depend from


independent claim 14, as amended. Accordingly, applicants respectfully submit that claims 2-12, 14, 17, and 18 distinguish over the prior art of record for the reasons set forth above with respect to independent claim 19, as amended.

Applicants believe that the foregoing amendments place the application in condition for allowance, and a favorable action is respectfully requested. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call either of the undersigned attorneys at the Los Angeles telephone number (213) 488-7100 to discuss the steps necessary for placing the application in condition for allowance should the Examiner believe that such a telephone conference would advance prosecution of the application.

Respectfully submitted,

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APPENDIX

IN THE CLAIMS:

Please amend claims 1, 14, and 19 as follows:

1. (Twice Amended) An apparatus, comprising:

a computer controlled by an operating system program and having a telephone function library of programs that control the computer to implement conventional telephone functions, said operating system controlling said computer to implement a telephony application programmatic interface (TAPI), comprising a plurality of function calls that [may be] are invoked to implement various telephone functions, said operating system being configured to run a dialer program and at least one application program that differs from the dialer program,

wherein the at least one application program does not comprise a telephone application program or an operating system navigation utility,

wherein the dialer program has an associated phone book file, the phone book file not being associated with the at least one application program, and

wherein the dialer program determines activity status of the at least one application program;

a TAPI compliant telephony device (TAPI device) coupled to said computer by a data path and structured for connection to a telephone line from a telephone service provider, said TAPI device being interfaced with a TAPI compliant driver program, said driver program being capable of receiving telephone function commands from said programs in said telephone function library and converting [them] the telephone function commands to commands and/or signals specific to

said TAPI device and [of] for sending said commands and/or signals to said TAPI device to cause [it] the TAPI device to carry out telephone functions;

a keyboard coupled to said computer for providing user inputs;

a pointing device coupled to said computer for providing user inputs; and

a video display coupled to said computer,

wherein the dialer program is configured to retrofit a dialer representation on a title bar of a window of the at least one application program lacking telephony capabilities only when the at least one application program is active to provide the telephony capabilities to the at least one application program,

wherein, when a user selects, via the keyboard or the pointing device, the retrofitted dialer representation, the dialer program accesses the phone book file to search for a phone number to be dialed by the dialer program, and

wherein the searching of the phone book file is based on a search key, the search key comprising text that is displayed in a window of the at least one application program and highlighted by the user via the keyboard or the pointing device before the user selects the retrofitted dialer representation.

14. (Twice Amended) A method for a computer coupled to a telephony device to implement telephony functions, comprising:

executing, on an operating system platform, a dialer program and at least one application program that differs from the dialer program,

wherein the at least one application program does not comprise a telephone application program or an operating system navigation utility, and

wherein the dialer program has an associated phone book file, the phone book file not being associated with the at least one application program;

by the dialer program, determining activity status of the at least one application program;

by the dialer program, retrofitting a dialer representation on a title bar of a window of the at least one application program lacking telephony capabilities only when the at least one application program is active to provide the telephony capabilities to the at least one application program;

by the dialer program, accessing the phone book file to search for a phone number to be dialed by the dialer program, the accessing being triggered when a user selects, via an input device, the retrofitted dialer representation; and

by the dialer program, searching the phone book file for the phone number based on a search key, the search key comprising text that is displayed in a window of the at least one application program and highlighted by the user via the input device before the user selects the retrofitted dialer representation.

19. (Amended) An article₁ comprising:

a storage medium having stored thereon instructions that when executed by a machine result in the following:

executing, on an operating system platform, a dialer program and at least one application program that differs from the dialer program,

wherein the at least one application program does not comprise a telephone application program or an operating system navigation utility, and

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wherein the dialer program has an associated phone book file, the phone book file not being associated with the at least one application program;

by the dialer program, determining activity status of the at least one application program;

by the dialer program, retrofitting a dialer representation on a title bar of a window of the at least one application program lacking telephony capabilities only when the at least one application program is active to provide the telephony capabilities to the at least one application program;

by the dialer program, accessing the phone book file to search for a phone number to be dialed by the dialer program, the accessing being triggered when a user selects, via an input device, the retrofitted dialer representation; and

by the dialer program, searching the phone book file for the phone number based on a search key, the search key comprising text that is displayed in a window of the at least one application program and highlighted by the user via the input device before the user selects the retrofitted dialer representation.